

Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611



Regular Board Meeting Minutes

Thursday, December 4, 2008

10:00 AM

Board Room

Board of Commissioners

*Commissioner Frank Avila, Commissioner Patricia Horton, Chairman of Finance
Gloria Alitto Majewski, Commissioner Barbara J. McGowan, Vice-President Kathleen
Therese Meany, Commissioner Cynthia M. Santos, Commissioner Debra Shore,
Commissioner Patricia Young, President Terrence J. O'Brien*

THE FOLLOWING PROCEDURES WILL GOVERN THE MEETING PROCESS:

- 1. Board Members who vote "Nay, Present, or Abstain" or have a question on any item may request the item be removed from the Consent Agenda.**
- 2. Citizens in the audience who address the Board on any item may request the item be removed from the Consent Agenda.**
- 3. Items removed from the Consent Agenda are considered separately.**
- 4. One roll call vote is taken to cover all Consent Agenda Items.**

Call to Order

President O' Brien presiding, called the meeting to order at 10:00 a.m.

Roll Call

Present: 9 - Frank Avila; Patricia Horton; Gloria Alitto Majewski; Barbara J. McGowan; Kathleen Therese Meany; Cynthia M. Santos; Debra Shore; Patricia Young; and Terrence J. O'Brien

Approval of Previous Board Meeting Minutes

A motion was made by Patricia Young, seconded by Gloria Alitto Majewski, that the minutes from the last regular meeting of November 20, 2008 and the annual meeting of December 2, 2008 be approved without having to read them into the record. The motion carried by acclamation. Chorus of ayes - No nays

Recess and Reconvene as Board of Commissioners

At 11:50 President O'Brien reconvened the regular board meeting to order

Finance Committee

Report

- 1 [08-2426](#) Report on Cash Disbursements for the Month of August 2008, in the amount of \$29,658,521.53
Published and Filed
- 2 [08-2428](#) Report on Cash Disbursements for the Month of September 2008, in the amount of \$39,600,109.24
Published and Filed
- 3 [08-2429](#) Report on Cash Disbursements for the Month of October 2008, in the amount of \$46,796,411.22
Published and Filed

Authorization

- 4 [08-2403](#) Authority to transfer 2008 departmental appropriations in the amount of \$758,700.00 in the Corporate Fund.
Approved

Purchasing Committee

Report

- 5 [08-2370](#) Report of bid opening of Tuesday, November 18, 2008
- Published and Filed**
- 6 [08-2373](#) Report on rejection of bids for Contract 06-218-3M Blower Nos. 9 & 10 and Air Main Installation at Calumet WRP, Chicago, Illinois, estimated cost \$15,931,717.00
- Published and Filed**
- 7 [08-2390](#) Report on rejection of bids for Contract 08-629-12, Group A (Re-Bid) Furnishing, Delivering and Rental of Arc Flash Personal Protective Equipment, estimated cost \$32,120.00
- Published and Filed**
- 8 [08-2392](#) Report on the correction of a typographical error in the board transmittal letter for authority to issue purchase order for Contract 08-604-12 (Re-Bid) Furnishing and Delivering Plumbing Materials, in an amount not to exceed \$208,500.00, Account 101-67000, 68000, 69000-623090, Requisitions 1223995, 1225154, 1225179, 1225582, 1225595, and 1225598
- Published and Filed**
- 9 [08-2432](#) Purchasing Department - 2007 Annual Report
- Deleted by the General Superintendent**

Authorization

- 10 [08-2381](#) Authorization for payment to Illinois Association of Wastewater Agencies (IAWA) for 2009 membership dues in an amount not to exceed \$14,120.00, Account 101-15000-612280
- Approved**
- 11 [08-2384](#) Authorization for payment to DuPage River/Salt Creek Workgroup (DRSCW) for 2008/2009 membership dues in an amount not to exceed \$61,005.00, Account 101-15000-612280
- Debra Shore lifted her earlier deferral*
- Approved**
- 12 [08-2397](#) Authorization to amend the board transmittal letter for authority to issue purchase order and enter into an agreement with SimplexGrinnell, L.P., to Furnish and Deliver Replacement Parts and Services for the Fire Detection System at the Stickney Water Reclamation Plant, in an amount not to exceed \$391,311.00, Account 101-69000-612780, Requisition 1245111
- Deferred by Barbara J. McGowan**

- 13 [08-2413](#) Authorization to amend the board transmittal letter for authority to decrease Contract 07-951-11, Truck Hauling of Direct Haul Centrifuge Cake from the Stickney Water Reclamation Plant to Various Locations, to Big "O" Movers and Storage, Inc., in an amount of \$1,222,000.00, from an amount of \$2,220,000.00, to an amount not to exceed \$998,000.00, Account 101-69000-612520, Purchase Order 5000690

Approved

- 14 [08-2418](#) Authorization to amend the Board transmittal letter for Authority to increase Contract 03-296-3M Installation of Central Boiler Facility at Calumet Water Reclamation Plant, to IHC Construction Companies, LLC, in an amount of \$45,656.03 from an amount of \$28,911,312.63 to an amount not to exceed \$28,956,968.66, Account 401-50000-645650, Purchase Order 5000458

Approved

- 15 [08-2419](#) Authorization to amend Board transmittal letter for Authority to advertise Contract 02-010-3S Evanston Intercepting Sewer Orrington Avenue Leg Rehabilitation, NSA, in Evanston, IL, estimated cost is \$3,400,000.00, Account 401-50000-645600, Requisition 128083

Approved

Authority to Advertise

- 16 [08-2367](#) Authority to advertise Contract 09-868-11 Fence Painting in the Calumet Service Area, estimated cost \$50,000.00, Account 101-68000-612420, Requisition 1254257

Approved

- 17 [08-2437](#) Authority to advertise Contract 09-927-11 Services to Repair PLC Modules for the Stickney Water Reclamation Plant, estimated cost \$43,000.00, Account 101-69000-612650, Requisition 1258889

Approved

Issue Purchase Order

- 18 [08-2366](#) Issue purchase order for Contract 08-418-12 Furnish and Deliver Fifty-Two (52) Multi-Functional Photocopier Devices and a Five-Year Repair Service, Supplies and Maintenance Agreement at Various Locations, to Distinctive Business Products, d/b/a Chicago Office Technology Group, in an amount not to exceed \$374,300.00, Account 101-15000-634800, 623810, 612800, Requisition 1239553 (*Deferred from the November 20, 2008 Board Meeting*)

Approved

- 19 [08-2368](#) Issue purchase order for Contract 08-652-11 Furnish and Deliver Manhole Covers and Frames to Various Service Areas, to East Jordan Iron Works, Inc., in an amount not to exceed \$77,195.00, Account 101-67000, 68000, 69000-623300, Requisitions 1232467, 1236485, and 1232472
Approved
- 20 [08-2377](#) Issue purchase order for Contract 08-705-11, Furnishing and Delivering Heavy Equipment to the North Service Area, Group A, to Lift Works, Inc., in an amount not to exceed \$57,719.83, and Group C, to O'Leary's Contractors Equipment and Supply Co., in an amount not to exceed \$34,400.00, Account 101-67000-634650, Requisitions 1251031 and 1251033
Approved
- 21 [08-2383](#) Issue purchase order and enter into an agreement with Mr. Thomas Skuse, for professional engineering services to maintain and operate District facilities at Fulton County, in an amount not to exceed \$70,000.00, Account 101-68000-601170, Requisition 1259812
Approved
- 22 [08-2401](#) Issue a purchase order to the University of Illinois at Urbana-Champaign, under the University of Illinois Master Agreement, to use a GPS-X model to Identify Process Strategies for Wet Weather Treatment at North Side Water Reclamation Plant in an amount not to exceed \$43,702.00, Account 101-16000-601170, Requisition 1261181
Approved
- 23 [08-2407](#) Issue purchase orders to Serpentix Conveyor Corporation, to Furnish and Deliver Replacement Parts to the North Side, Egan and Calumet Water Reclamation Plants, in an amount not to exceed \$45,000.00, Accounts 101-67000, 68000-623270, Requisitions 1256450, 1256456 and 1255056
Approved
- 24 [08-2408](#) Issue purchase orders and enter into an agreement with Central Scale and Supply Co., Inc., for Services to Maintain the Cardinal Truck Weighing Scale System at the LASMA, Calumet and Stickney Water Reclamation Plants, in an amount not to exceed \$33,000.00, Accounts 101-66000, 69000-612650, 612680, Requisitions 1252913, 1255728 and 1255735
Approved
- 25 [08-2409](#) Issue purchase order to Drydon Equipment, Inc., to Furnish and Deliver Replacement Parts for Varec Gas Burners to the Stickney Water Reclamation Plant, in an amount not to exceed \$70,000.00, Account 101-69000-623090, Requisition 1252904
Approved

- 26 [08-2412](#) Issue purchase order and enter into an agreement with Vulcan Industries, Inc., to Furnish and Deliver Parts and Repair Services for Vulcan Screens, in an amount not to exceed \$59,000.00, Accounts 101-69000-612600,623270, Requisitions 1253587 and 1253588

Approved

- 27 [08-2421](#) Issue purchase order and enter into an agreement with Superior Industrial Equipment, LLC, to Provide Services to Repair FlowServe Durametalllic Mechanical Seals for Digester Pumps at the Stickney Water Reclamation Plant in an amount not to exceed \$24,000.00, Account 101-69000-612650, Requisition 1252905

Approved

- 28 [08-2435](#) Issue a purchase order and enter into an agreement with the Carmen Group, Inc., for professional services associated with federal programs and activities during fiscal year 2009, in an amount not to exceed \$657,000.00, Account 401-50000-601170, Requisition 1261115

Debra Shore lifted her deferral to hear public comment. Debra Shore reinstated her deferral

Deferred by Debra Shore

- 29 [08-2436](#) Issue a purchase order and enter into an agreement with SEECO Consultants, Inc., for testing and inspecting concrete and other construction materials for various construction projects, in an amount not to exceed \$590,000.00, Accounts 101-50000-612240, 201-50000-612240, and 401-50000-612240, Requisition 1257472

Approved

Award Contract

- 30 [08-2369](#) Authority to award Contract 08-053-11 Furnish and Deliver Lamps for a One (1) Year Period, to Helsel-Jepperson Electrical, Inc., in an amount not to exceed \$66,331.92, Account 101-20000-623070

Approved

- 31 [08-2371](#) Authority to award Contract 08-009-11 Furnish and Deliver Cloths, Paper Towels, and Toilet Tissue to Various Locations for a One (1) Year Period, Group A to The Standard Companies, in an amount not to exceed \$5,600.00, Group B to Laport Inc., in an amount not to exceed \$86,934.40, and Group C to Atlas & Associates Inc., in an amount not to exceed \$18,314.00, Account 101-20000-623660

Approved

- 32 [08-2387](#) Authority to award Contract 99-467-2E Electrical Upgrade; Pumps, Motors & Drives Replacement; and Elevator Upgrades, Egan WRP, to Divane Bros. Electric Co., in an amount not to exceed \$9,057,000.00, Account 401-50000-645750, Requisition 1247920
Approved
- 33 [08-2394](#) Authority to award Contract 09-021-11 Furnish and Deliver Unleaded Gasoline to Various Locations for a One (1) Year Period, Items 1 and 2 to Avalon Petroleum Company, Inc., in an amount not to exceed \$1,051,000.00, Accounts 101-20000, 66000-623820
Barbara J. McGowan lifted her earlier deferral
Approved
- Increase Purchase Order/Change Order**
- 34 [08-2375](#) Authority to decrease purchase order for Contract 06-107-11 to Furnish and Deliver Maintenance and Inspection of Lysimeters and Monitoring Wells for the Research and Development Department to Patrick Engineering, Inc., in an amount of \$6,172.31, from an amount of \$30,000.00, to an amount not to exceed \$23,827.69, Account 101-16000-612490, Purchase Order 3038814
Approved
- 35 [08-2386](#) Authority to increase purchase order and amend the agreement with Deutsch, Levy & Engel, LLC for legal services in representing the District in an environmental remediation action against Nicor/ComEd for District property at Oakton Street and McCormick Boulevard in Skokie, Illinois, in an amount of \$50,000.00, from an amount of \$250,000.00, to an amount not to exceed \$300,000.00, Account 101-30000-601170, Purchase Order A84545
Approved
- 36 [08-2393](#) Authority to increase Contract 07-677-11 Overhead and Exterior Door Maintenance Services at Various Locations, to Builders Chicago Corporation, in an amount of \$20,000.00, from an amount of \$192,039.88, to an amount not to exceed \$212,039.88, Account 101-69000-612680, Purchase Order 5000715
Approved
- 37 [08-2396](#) Authority to increase purchase order and amend the agreement with Geosyntec Consultants for Contract 04-RFP-15, Risk Assessment of Human Health Impacts of Disinfection vs. No Disinfection of the Chicago Area Waterways, in an amount of \$49,762.00, from an amount of \$983,411.00, to an amount not to exceed \$1,033,173.00, Account 401-50000-601170, Purchase Order 3033062
Approved

- 38 [08-2402](#) Authority to increase Contract 03-955-15 Services to Maintain Uninterruptible Power Systems in the Stickney Water Reclamation Plant Area and Waterways Control Room, to Professional Technical Services, Inc. in an amount of \$72,851.00, from an amount of \$108,756.25 to an amount not to exceed \$181,607.25, Account 101-27000-634840, Purchase Order 5000506
Approved
- 39 [08-2405](#) Authority to increase Contract 08-646-11 Small Streams Maintenance in Cook County, Illinois, Group A, to J & L Contractors, Inc., in an amount of \$289,750.00, from an amount of \$1,159,000.00, to an amount not to exceed \$1,448,750.00, Account 501-50000-612620, Purchase Order 5000849
Approved
- 40 [08-2406](#) Authority to increase Contract 08-646-11 Small Streams Maintenance in Cook County, Illinois, Group B, to Thornton Equipment Services, Inc., in an amount of \$250,000.00, from an amount of \$1,000,000.00, to an amount not to exceed \$1,250,000.00, Account 501-50000-612620, Purchase Order 5000863
Approved
- 41 [08-2411](#) Authority to increase purchase order and amend an agreement with Loeb & Loeb, LLP to pay attorneys' fees incurred by Susan T. Morakalis in the case of Tri-River Docks v. Metropolitan Water Reclamation District of Greater Chicago, No. 05 L 007390, in an amount of \$125,000.00, from an amount of \$100,000.00 to an amount not to exceed \$225,000.00, Account 101-30000-601170, Purchase Order 3051187
Approved
- 42 [08-2414](#) Authority to increase purchase order and amend the agreement with Serpentix Conveyor Corp., to furnish and deliver replacement parts on an as-needed basis during 2007 and 2008, for Serpentix conveyors to various locations in an amount of \$17,000.00, from an amount of \$201,850.00 to an amount not to exceed \$218,850.00, Account 101-67000/68000-623270, Purchase Orders 3044690, 3044691, and 3044707
Approved
- 43 [08-2415](#) Authority to increase purchase order and amend the agreement with SimplexGrinnell LP for the preventive maintenance, testing and servicing of a SimplexGrinnell Fire Alarm system located at the R&D Lab Building, Engineering Center, OSS Complex, Austin Gate House and Post Digestion Centrifuge Buildings at the Stickney WRP in an amount of \$14,700.00, from an amount of \$224,999.00 to an amount not to exceed \$239,699.00, Account 101-69000-612780, Purchase Order 3035768
Barbara J. McGowan lifted her earlier deferral
Approved

- 44 [08-2416](#) Authority to increase Contract 03-296-3M, Installation of Central Boiler Facility at Calumet Water Reclamation Plant, to IHC Construction Companies LLC, in an amount not to exceed \$960,251.00, from an amount of \$27,996,717.66 to an amount not to exceed \$28,956,968.66, Account 401-50000-645650, Purchase Order 5000458

 Deferred by Frank Avila
- 45 [08-2425](#) Authority to increase purchase order to CDW Government, Inc., for Microsoft software and software maintenance in an amount of \$69,000.00, from an amount of \$932,162.17, to an amount not to exceed \$1,001,162.17, Account 101-27000-612820, Purchase Order 3041988

 Approved
- 46 [08-2433](#) Authority to increase purchase order and amend agreement with AutoDesk Inc., for professional computer software services in regards to the continuance of full implementation of the AutoDesk Constructware application, in an amount of \$476,220.67, from an amount of \$320,595.33 to an amount not to exceed \$796,816.00, Accounts 201-50000-601170, 623800, and 634820, Purchase Order 3046108

 Approved
- 47 [08-2434](#) Authority to increase purchase order and amend the agreement with Malcolm Pirnie, Inc., for Agreement 07-859-1C, Economic and Environmental Assessment of Water Quality Improvements in the Chicago Area Waterway System and Floatables Control Evaluation, North Branch Pumping Station, in an amount of \$173,760.00, from an amount of \$857,514.00, to an amount not to exceed \$1,031,274.00. Account 101-50000-601410, Purchase Order 3048466

 Approved

Industrial Waste & Water Pollution Committee

Report

- 48 [08-2400](#) Report on Public Notification of Significant Industrial Users Having Exemplary Compliance Records and Industrial Users Significantly Violating Pretreatment Standards or Other Requirements

 Published and Filed

Judiciary Committee

Authorization

- 49 [08-2385](#) Authority to settle the Workers' Compensation Claim of Gregory Reed vs. MWRDGC, I.C. #06WC 52466, Illinois Workers' Compensation Commission in the sum of \$105,000.00. Account 901-30000-601090 (*As Revised*)
- Approved

Maintenance & Operations Committee

Authorization

- 50 [08-2430](#) Authorization to Declare an Emergency to Repair the Motor for Main Sewage Pump No. 5 at the John E. Egan Water Reclamation Plant, Contract 08-700-03, Magnetech Industrial Services, Inc., estimated cost is not to exceed \$60,000.00, Account 101-67000-612600 (Req. 1261825)
- Approved

Pension, Personnel Relations & Civil Service Committee

Authorization

- 51 [08-2420](#) Authority to revise plan design for HMO and PPO medical benefit plans for non-represented employees and retirees, and contribution rates for non-represented employees
- Approved

Real Estate Development Committee

Authorization

- 52 [08-2410](#) Authority to sequester and commit grant funds received by the District from the State of Illinois for Deer Creek Flood Abatement work and to seek amendment to provision of grant governing disbursement of funds to the Army Corps of Engineers and an extension of grant term (*As Revised*)
- Approved

Miscellaneous and New Business

Additional Agenda Items

- 53 [08-2438](#) Issue a purchase order and enter into an agreement for Contract 08-RFP-21 Native Landscape Conversion and Management at Various Service Areas, with Tallgrass Restoration, LLC in an amount not to exceed \$102,923.20, Accounts 101-67000-601170, 101-68000-601170, 101-69000-601170, Requisitions 1261891, 1261903, and 1246454
- Approved

- 54 [08-2440](#) Authority to amend Board Order dated April 5, 2007, authorizing and approving settlement of the case of Metropolitan Water Reclamation District of Greater Chicago vs. North American Galvanizing & Coatings, Inc., Case No. 05-3290 to modify the terms and conditions of the settlement as stated herein

Approved

Approval of the Consent Agenda with the exception of Items: 9, 12, 28 and 44

A motion was made by Patricia Young, seconded by Gloria Alitto Majewski, to Approve the Consent Agenda. The motion carried by the following roll call vote:

Aye: 9 - Frank Avila, Patricia Horton, Gloria Alitto Majewski, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Patricia Young, Terrence J. O'Brien

Meeting Summary

Speakers

Joe LaPluca, representing Ricoh Business Solutions objected to the award of Contract 08-418-12 to Distinctive Business Products, d/b/a Chicago Office Technology Group alleging the company was not furnishing new Multi-Function Photocopier Devices (Re: Purchasing Item 18)

Mike Ranallo, representing Chicago Office Technology Group, rebutted the allegation (Re: Purchasing Item 18)

Andrew Perellis and Leticia Rausch, representing Rausch Construction, asked that the authorization to increase Contract 03-296-3M to IHC Construction Companies, LLC be denied or deferred (Re: Purchasing Item 44)

Summary of Requests

Debra Shore asked that the Carmen Group, Inc. attempt to revise the amount they requested for total labor costs in 2009 (Re: Purchasing Item 28)

Debra Shore requested that in the future, the District interview additional lobbyists and seek proposals for professional services associated with federal programs and activities (Re: Purchasing Item 28)

Cynthia Santos asked that the Board of Commissioners have the opportunity to vote on Competitive Bidding (Re: Purchasing Item 28)

Patricia Young asked that a report indicating the amount of debris that was removed from the small streams be distributed to the Board of Commissioners (Re: Purchasing Item 40)

Patricia Young asked that the Board of Commissioners review the ad before it is published in the paper and added to the District website (Regarding Industrial Waste & Water Pollution Item 48)

President O'Brien asked that the Law Department prepare Executive Sessions for the meeting of December 18, 2008 (Re: Purchasing Items 35 and 44)

Study Session

None

Announcements

The District's Annual Holiday Party will be held on Friday, December 6, 2008

The Public Hearing to consider the proposed budget will be held on Wednesday, December 10, 2008 at 10:00 a.m.

The Special Meeting to adopt the budget will be held on Thursday, December 11, 2008 at 10:00 a.m.

Board Letter Submission Dates

The next regular board meeting is scheduled for December 18, 2008, please prepare and submit Board items before the following absolute cutoff dates.

Date agenda items are due to the Purchasing Agent for signature and preparation: December 8, 2008

Date Board letters are due to the General Superintendent: 1:00 p.m., December 11, 2008

Adjournment

A motion was made by Kathleen Therese Meany, seconded by Patricia Horton, that when the Board adjourns it adjourns to meet on Thursday, December 18, 2008, at 10:00 a.m. and that today's meeting be adjourned. The motion carried by acclamation. Chorus of ayes - No nays

/s/ Jacqueline Torres
Clerk

APPROVAL:

In accordance with the provisions of 70ILCS 2605/4, each of the foregoing agenda items duly adopted by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago this December 4, 2008, are hereby approved.

APPROVED:

/s/ Terrence J. O'Brien
President Board of Commissioners of the
Metropolitan Water Reclamation District of Greater Chicago

December 4, 2008